

**BOARD OF APPEALS  
for  
MONTGOMERY COUNTY**

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[www.montgomerycountymd.gov/content/council/boa/board.asp](http://www.montgomerycountymd.gov/content/council/boa/board.asp)

**Case No. S-2680**

**PEITION OF ALDEN LANCASTER**

OPINION OF THE BOARD

(Opinion Adopted December 20, 2006)

(Effective Date of Opinion: January 10, 2007)

Case No. S-2680 is an application for a special exception, pursuant to Section 59-G-2.00 of the Zoning Ordinance, for an accessory apartment. The Hearing Examiner for Montgomery County held a hearing on the application on October 30, 2006, closed the record in the case on November 6, 2006, and on December 4, 2006, issued a Report and Recommendation for approval of the special exception.

The subject property is Lot 20, Block 13; located at 6708 Poplar Avenue, Takoma Park, Maryland, 20912, in the R-60 Zone.

Decision of the Board:                      Special Exception **Granted** Subject  
to Conditions Enumerated Below.

The Board of Appeals considered the Hearing Examiner's Report and Recommendation at its Worksession on December 20, 2006. After careful consideration and review of the record in the case, the Board adopts the Report and Recommendation and grants the special exception subject to the following conditions:

1.     Petitioner is bound by her testimony and exhibits of record, and by any representations of counsel identified in this report or in the Board's Opinion in this matter.

2.     The accessory apartment may be occupied by no more than two persons, and the occupants of the accessory apartment shall be limited, collectively, to a total of no more than two vehicles.

3. Per Code Section 59-G-2.00(b)(1), Petitioner must occupy one of the dwelling units on the subject property.

4. Per Code Section 59-G-2.00(b)(3), Petitioner must not receive compensation for more than one dwelling unit on the subject property.

5. Petitioner must obtain and satisfy the requirements of all licenses and permits, including but not limited to building permits and use and occupancy permits, necessary to occupy the special exception premises and operate the special exception as granted herein.

On a motion by Caryn L. Hines, seconded by Catherine G. Titus, with Wendell M. Holloway and Donna L. Barron, Vice-Chair in agreement, and Allison Ishihara Fultz, Chair, necessarily absent, the Board adopted the following Resolution:

**BE IT RESOLVED** by the Board of Appeals for Montgomery County, Maryland that the opinion stated above is adopted as the Resolution required by law as its decision on the above-entitled petition.



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Donna L. Barron  
Vice-Chair, Montgomery County Board of Appeals

Entered in the Opinion Book  
of the Board of Appeals for  
Montgomery County, Maryland  
this 10<sup>th</sup> day of January, 2007.

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Katherine Freeman  
Executive Director

**NOTE:**

Any request for rehearing or reconsideration must be filed within fifteen (15) days after the date the Opinion is mailed and entered in the Opinion Book (See Section

59-A-4.63 of the County Code). Please see the Board's Rules of Procedure for specific instructions for requesting reconsideration.

Any decision by the County Board of Appeals may, within thirty (30) days after the decision is rendered, be appealed by any person aggrieved by the decision of the Board and a party to the proceeding before it, to the Circuit Court for Montgomery County, in accordance with the Maryland Rules of Procedure.